

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMADEU MENDES SEMEDO,

Petitioner,

v.

THOMAS M. HODGSON,

Respondent.

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C.A. No. 19-11546-ADB

ORDER

BURROUGHS, D.J.

On July 15, 2019, Amadeu Mendes Semedo, an immigration detainee in custody at the Bristol County Jail and House of Correction, filed a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. *See* Dkt. No. 1. This action was assigned pursuant to the Court's Program for Random Assignment of Civil Cases to Magistrate Judges. *See* Dkt. No. 4.

By Procedural Order dated July 15, 2019, petitioner was ordered either to pay the \$5 filing fee or file a fee-waiver application. *See* Dkt. No. 5. The Procedural Order stated that failure to comply may result in the dismissal of this action without prejudice. *Id.*

Because the petitioner failed to respond to the court's order, the case was randomly reassigned to the undersigned. *See* Dkt. No. 6. It is a long-established principle that this court has the authority to dismiss an action *sua sponte* for a party's failure to prosecute his action and his failure to follow the court's orders. Fed. R. Civ. P. 41(b). Here, dismissal is appropriate because without petitioner's active participation, the court cannot effect the advancement of the case to a resolution on the merits.

Accordingly, for the failure to comply with the July 15, 2019 Procedural Order, this action is hereby dismissed without prejudice.

SO ORDERED.

August 20, 2019

/s/ Allison D. Burroughs
ALLISON D. BURROUGHS
U.S. DISTRICT JUDGE